

## Exploratory talks and peace initiatives in Afghanistan: actors, demands, Germany's role as mediator

Wörmer, Nils

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# Exploratory Talks and Peace Initiatives in Afghanistan

Actors, Demands, Germany's Role as Mediator

Nils Wörmer

It is widely held that NATO's strategy in Afghanistan can only succeed if progress is made in the country's internal peace process. But none of the initiatives to date have been able to initiate meaningful negotiations, nor has it been possible to reach lasting agreements on representatives, mediators, topics and procedures. Numerous actors have already been involved in exploratory talks involving both independent and interconnected threads. It would represent an important step forward if existing initiatives could be channelled into an orderly negotiating process. Germany can play an important mediating role here. Talks about a political resolution of the Afghanistan conflict will be protracted and complex, their outcome open. Forward strategic thinking must also consider the possibility of the Afghan peace process failing.

In July 2012 Afghanistan's President Hamid Karzai again asked the German government for help in mediating peace talks. In 2010 and 2011 Germany had arranged secret talks between representatives of the Taliban and the United States. By early 2012 these had led to the temporary establishment of a Taliban liaison office in Qatar. While many observers regard the "Qatar process" as the most promising initiative to date, it has been on ice since March 2012. It is not yet clear whether the German efforts will move forward or whether this mediation initiative will fail too.

During the initial years of the ISAF mission the United States and NATO cate-

gorically excluded top-level (strategic) talks of any kind with Afghan insurgents. But contacts have always existed at district and provincial level.

Since 2002 the Afghan government has maintained communication of varying quality and intensity with the three main currents of the insurgency: Taliban, Islamic Party (Hezb-e Islami Gulbuddin, HIG) and Haqqani network. President Karzai's position on talks has sometimes appeared contradictory, inviting insurgent leaders to talks in Kabul and guaranteeing them safe passage while excluding such talks (apparently at U.S. behest) in official pronouncements. At the latest since 2008, however,

Kabul appears to be earnestly interested in talks at the highest level, above all with the Taliban and the HIG.

The various past initiatives reveal which actors wish to be involved in future negotiations, which representatives are acceptable, and who comes into question as mediator. They also supply insights into the core demands of the parties, the interests of external actors and ultimately the room available for compromise.

### Initiatives to Date

**Saudi activities.** At Kabul's request the Saudi government organised in 2008 and 2009 the first initiative leading to direct high-level contacts between the Afghan government, the Taliban and the HIG. After troublesome experiences with the Taliban in the 1990s, Riyadh was initially cautious and made its core concern – that the Taliban openly distance itself from al-Qaeda – a precondition for future engagement in the Afghan peace process.

The first of two rounds of talks came about in September 2008, in the guise of an invitation from King Abdullah to break fast together at the end of Ramadan. The Afghan government was indirectly represented at both meetings by the President's older brother Qayum Karzai, who holds no government office. Apparently no official representatives of the HIG and Taliban leaderships participated in the first round, with only former functionaries attending the meeting in Mecca. The latter included the last foreign minister of the Taliban government, Mulla Ahmad Wakil Mutawakil, and the Taliban's former ambassador to Pakistan, Mulla Abdul Salam Zaeef. Participation in the second round in February 2009, chaired by the head of the Saudi intelligence service, Prince Muqrin bin Abdul-Aziz, was higher-ranking: the HIG represented by Ghairat Bahir, son-in-law of its leader Gulbuddin Hekmatyar; the Taliban by Mulla Agha Jan Mutassim, a son-in-law of Mulla Omar and former chair of the

political committee of the Taliban leadership council, the rahbari shura.

In both rounds the Saudi government apparently offered Mulla Omar and Gulbuddin Hekmatyar permanent or temporary sanctuary in Saudi Arabia if a political resolution of the conflict could be reached. British diplomats were involved in preparing the second round, which also discussed the possibility of power-sharing with the Taliban.

The international community explicitly welcomed the Saudi initiative, with only the Iranian government expressing strong criticism and thereby staking its claim to a role in any Afghan peace deal. The Saudi role is also controversial in Afghanistan, meeting rejection by Shiite groups and individual leaders of the former Northern Alliance. Although repeatedly mentioned by President Karzai over the past three years, the Saudi initiative remains in abeyance.

**Talks on the Maldives.** Three unofficial meetings between representatives of the Afghan government, the Taliban, the HIG and the non-militant opposition took place on the Maldives in January, May and November 2010. While the initiative had little influence on the substance of the peace process, Afghan observers nonetheless regard it as significant for its contribution to confidence-building and establishing contacts.

The initiative was proposed by Homaoun Jarir, another of Hekmatyar's sons-in-law. The Afghan government was not included in the preparations for the talks, which were funded privately by Afghan businessmen, and repeatedly indicated that it did not expect them to advance the peace process. Although President Karzai rejected the initiative, he sent close personal advisers as observers to all three rounds of talks. HIG and Taliban were represented by associated parliamentarians and provincial governors. Hekmatyar's son Feroz also participated as his personal envoy. Emissaries of the Haqqani network are reported to have attended the third meeting.

In the concluding declaration of the third round in November 2010 the participants proposed establishing a “high national security council” to serve until a cease-fire could be concluded. The Council would have to confirm all government decisions by two-thirds majority before implementation. The meeting declared the withdrawal of all foreign forces and the cessation of all external attempts to intervene in the peace process to be preconditions for a cease-fire. As the next step the results of the conference were to be discussed with representatives of Pakistan and Iran.

**HIG initiatives.** As well as participating in the talks in Saudi Arabia and the Maldives, and countless smaller exploratory meetings within and outside Afghanistan, the HIG also opened up a separate, bilateral channel with the Afghan government.

The first decisive move came in spring 2008, after the release of Hekmatyar’s imprisoned son-in-law Ghairat Bahir. Numerous secret meetings between Gulbuddin Hekmatyar and various emissaries of the Karzai government followed, leading to the first direct talks between the Afghan President and a five-member HIG delegation led by Qutbuddin Helal in mid-March 2010. Helal, former deputy prime minister and Hekmatyar’s long-serving second-in-command, presented the Afghan government with a fifteen-point HIG peace plan, which has been thoroughly discussed since then. The HIG’s most important demands include full and complete withdrawal of NATO forces, an electoral law reform, new elections, and the preparation of a new constitution by the newly elected parliament. According to statements made by high-ranking Afghan government officials and HIG representatives in spring 2012, they had agreed in principle on many points of controversy, but the talks were deadlocked over the question of the presence of Western forces after 2014 and the status of the constitution.

In May 2012 the HIG indefinitely suspended direct talks with the Afghan govern-

ment in response to the signing of the Strategic Partnership Agreement between Afghanistan and the United States. Shortly beforehand, important representatives of the non-militant opposition had welcomed more unequivocally than ever before the prospect of a reconciliation between the Afghan government and Hekmatyar’s party.

**EU and UN exploratory talks with Taliban leaders.** Since 2007 various actors have endeavoured to arrange talks with top Taliban commanders or confidants of Mulla Omar.

In 2007 Michael Semple, the deputy to the European Union special representative for Afghanistan, held talks with high-ranking Taliban that gave rise to much speculation. When the Afghan government got wind of Semple’s diplomatic activities it expelled him, plainly wishing to underline that there was to be no contact with leaders of the insurgency without its participation or at least knowledge.

Since spring 2009 Kai Eide, the head of the UN mission in Afghanistan, has met with high-ranking Taliban leaders several times at various locations. The last of these meetings, in early January 2010 in Dubai, discussed possible venues and conditions for future exploratory talks. According to Eide, this channel broke off in February 2010 when the Pakistani intelligence service arrested Mulla Abdul Ghani Baradar in Karachi. Mulla Baradar was one of Mulla Omar’s deputies, chief military strategist and operative leader of the Taliban movement. He is reported to have authorised the exploratory talks with the UN, and via emissaries opened up his own contacts to the Afghan government and probably also to the Iranians.

In autumn 2010 it became known that the British intelligence service had, with the knowledge of the Afghan government and NATO, been in contact for several months with a man identifying himself as Mulla Akhtar Mohammad Mansour, military leader of the Taliban and deputy of Mulla Omar. Only after several meetings, including one with President Karzai, did it

become apparent that the man was a fraud. Rather than a Taliban leader he was a shop-keeper in the Pakistani city of Quetta.

**Qatar process.** At the end of 2009 the German foreign intelligence service (BND) succeeded in establishing contact with Tayeb Agha, Mulla Omar's former personal secretary. The first meeting was arranged in spring 2010 in Doha. In November 2010 and again in May 2011 the BND brought Tayeb Agha to Munich, where he became the first emissary of the Taliban leadership to conduct direct talks with an American delegation from the State Department and intelligence services, conducted under the auspices of the German foreign ministry.

The outcome of these talks was a series of confidence-building measures (though some also speak of a political deal that has yet to be implemented). The first part of the agreement was the opening of a Taliban liaison office in Qatar, which could serve as a forum for future talks between Mulla Omar's emissaries and representatives of the international community. The United States and the Afghan government made the opening of the liaison office conditional on the Afghan Taliban distancing itself publicly from international terrorism.

The second part of the agreement related to an exchange of prisoners. The United States raised the prospect of transferring five high-ranking Taliban leaders from Guantánamo to Qatar, where they would be reunited with their families and placed under house arrest. In return the Taliban was willing to release three U.S. citizens, including Sergeant Bowe Bergdahl who they have held since June 2009.

In mid-March 2012 the Taliban suspended the liaison office and prisoner swap talks on the grounds that the United States was always adding new demands. But they indicated via various channels that this did not mean the end of the Qatar process.

Not being involved in the talks, the Afghan government was extremely reserved about this initiative. When it first heard of the talks, this caused a diplomatic upset with Qatar, and Karzai pointedly an-

nounced his wish to reopen the Saudi channel. Important leaders of the Afghan political opposition have expressed reservations and stiff criticism of the Qatar process. They believe there should only be talks with the Taliban if all Afghan groups are included, especially those who fought against the Taliban before 2001.

## **NATO Strategy and the Peace Process**

At the strategic level the United States completed a change of course with the new Afghanistan strategy unveiled by President Obama in March 2009, now declaring their fundamental willingness to conduct talks with "moderate Taliban". NATO adopted central aspects of the new US strategy a month later at its summit in Strasbourg/Kehl. Since then the topics of negotiation, reconciliation and reintegration of insurgent fighters have gradually shifted to the centre of NATO's internal strategy debate.

In 2009 and 2010 the newly elected President Obama's administration deployed tens of thousands of additional troops for a limited period (the "surge"), with the objective of militarily weakening the three most important Afghan insurgent groups – Taliban, HIG and Haqqani network – to a point where they had no alternative but to negotiate. However, this strategy has largely failed.

At the London Afghanistan conference in January 2010 the ISAF participants and the Afghan government laid out the coordinates for a process that came to be known as "the transition", during which ISAF would hand over responsibility for Afghanistan's security to the Afghan security forces. The transition began in July 2011 and is due to be completed by the end of 2014. In London Karzai also announced that his government would hold a Peace Jirga in early summer 2010 to set in motion a national peace and reconciliation process and establish a reintegration programme for insurgent fighters, to be funded by the international community.

The Bonn Afghanistan conference in December 2011 and the NATO summit in Chicago in May 2012 were already making decisions about the time after 2014, for which a NATO-led training mission is planned. The Afghanistan conferences and NATO summits since 2010 have defined a series of areas in which progress needs to be made if it is to be possible to withdraw fighting forces by the end of 2014 and stabilise Afghanistan in the long term. According to this, creating functioning Afghan security forces, strengthening the involvement and cooperation of neighbouring states (especially Pakistan and Iran), improving governance and anti-corruption, and above all making progress in the internal Afghan peace process are preconditions for the success of the NATO strategy in Afghanistan.

## **The Afghan Government and the Peace Process**

**Initiation of the process.** As announced at the London conference in January 2010, the Afghan government organised a national, advisory Peace Jirga at the beginning of June 2010 in Kabul. In the resolution adopted at the conclusion of the three-day gathering chaired by former President Burhanuddin Rabbani, the participants called for the appointment of a High Peace Council, as a permanent institution to advance drive the government's reconciliation policies and the peace process. The Jirga also drew up a comprehensive catalogue of recommendations to the Afghan government, the leaders of the insurgency and the international community, proposing for example confidence-building measures such as the release of prisoners and the removal of the names of Afghan citizens from the United Nations sanctions list based on Security Council Resolution 1267 of 15 October 1999.

The Afghan government's choice of chair and the sixteen hundred delegates to the Peace Jirga was highly controversial within the country. The HIG and the Haqqani net-

work rejected the Jirga, as did the Taliban, the latter moreover succeeding in staging a highly symbolic attack on the venue. A number of important opposition figures demonstratively stayed away.

At the end of July 2010, in response to the demands of the Peace Jirga and the immediately ensuing Kabul conference, the UN Security Council partly fulfilled a request that the Karzai government had submitted years earlier, and removed individual names from the sanctions list. While this initially affected five former Taliban leaders, another fourteen were removed in July 2011, leaving just 124 names on the list. In June 2011 the list, which originally contained Taliban and al-Qaeda affiliates without distinction, had been divided into two separate documents. This step is regarded as an important precondition for reintegration measures, and for the negotiating process itself.

From the outset the manner in which the peace process was initiated came in for stiff criticism in Afghan domestic politics. The same applies to the instruments created to implement the process.

**High Peace Council.** At the end of September 2010 President Karzai announced the establishment of the High Peace Council, which the Peace Jirga can count as its most important achievement. The Council, again chaired by Burhanuddin Rabbani, comprises seventy members, which according to a study by Afghanistan Analysts Network (AAN) included fifty-three former or active members of the political-military organisations that fought in the Afghan civil wars of the 1980s and 1990s. The Council includes ten women who, together with two men, are regarded as the representatives of Afghan civil society. According to the study thirteen council members have ties to the HIG, while twelve held government posts during the time of Taliban rule (1996–2001). Afghan civil society organisations believe that the government could at least have avoided appointing individuals accused of war crimes and crimes against humanity.

The High Peace Council has made but very slow progress, and has already suffered several severe setbacks. In September 2011 Burhanuddin Rabbani was killed in his own home by suicide bombers posing as representatives of the rahbari shura, the Taliban's highest leadership body. About half a year after the killing, President Karzai named Rabbani's son Salahuddin as the new chair of the High Peace Council. A few weeks later Arsala Rahmani, a high-ranking member of the Council, was shot dead in his car in Kabul. Rahmani, who belonged to the "Taliban group" in the Peace Council, had been the figure regarded as most likely to be able to open direct communication channels to Taliban leadership circles.

The High Peace Council, which is slated to play a central role in future negotiations between the Afghan government and the leaders of the insurgency, has for some time been facing accusations of ineffectiveness, corruption and nepotism. Nonetheless, since taking over the chair Salahuddin Rabbani has succeeded in launching new initiatives. In summer 2012, in consultation with the Pakistani government, representatives of the Council met with Mulla Abdul Ghani Baradar, a former deputy of Mulla Omar captured in Pakistan in February 2010. It is speculated that he could mediate as an intermediary between the Afghan and Pakistani governments and the Taliban. In the scope of a new initiative to initiate peace talks, a High Peace Council delegation led by Rabbani travelled to Pakistan in November 2012, where both countries called on the Taliban to distance itself fully and publicly from al-Qaeda. Both also underscored their intention to continue doing everything in their power to support the Afghan-led peace and reconciliation process. As a gesture of goodwill the Pakistani government released at least twelve imprisoned Afghan functionaries and Taliban commanders and raised the prospect of also freeing Mulla Baradar.

## Core Demands of the Parties

**Afghan government.** Kabul demands that insurgent groups recognise the Afghan constitution, end the armed struggle and unconditionally cease cooperation with transnational terrorist organisations. It also asserts its right to the lead role in all negotiating initiatives and wishes to be involved at an early stage in support measures by other governments, or at least kept fully informed. President Karzai has repeatedly invited both the HIG and the Taliban to participate in the upcoming 2014 elections after laying down their arms. It is unclear to what extent the current Afghan government would be willing to negotiate seriously about power-sharing with the Taliban.

**Political opposition.** The most influential figures in Afghanistan's highly heterogeneous non-militant opposition demand recognition of the constitution and the preservation of the country's territorial integrity. Many opposition figures reject power-sharing with the Taliban. While some are willing to allow the Taliban to participate in elections, others wish to see the organisation dissolved and its leaders prosecuted. Leading politicians from the former Northern Alliance demand participation in all negotiation initiatives.

**Taliban.** The Taliban do not recognise the Afghan constitution or government and demand the withdrawal of all foreign forces as a precondition for participation in peace talks. They see NATO and the United States as their main enemy and are willing to discuss only isolated issues with them, such as the establishment of a liaison office or prisoner exchanges. Otherwise, there appears to be scant room for compromise. In the case of the Haqqani network, a partially autonomous group within the Taliban movement, no clear stance on negotiations is currently discernible. Many observers regard it as unwilling to negotiate.

**Hezb-e Islami.** Gulbuddin Hekmatyar's organisation demands the withdrawal of all foreign troops and fundamental reforms of the electoral law and the constitution.

Unlike the Taliban, it at least recognises the Afghan government as a negotiating partner.

**United States and NATO.** For the United States and NATO, acceptance of the Afghan constitution and recognition of the serving government are non-negotiable. Those are the core concerns to which the ambitious objectives of the early years of Western involvement have now been reduced. They also demand that the Afghan insurgents fully and unconditionally cease all cooperation with transnational terrorist groups. It is unclear whether the United States requires the Taliban to publicly distance itself from al-Qaeda and recognise the Karzai government as a negotiating partner as a precondition for establishing the liaison office or exchanging prisoners.

## Conclusions and Recommendations

To this day it has not been possible to initiate substantive talks between the conflict parties in Afghanistan. The peace process remains largely unstructured. The Afghan government's talks with a fraudster and the murder of Burhanuddin Rabbani by an emissary underline the inadequacy of NATO's and even the Afghan security forces' knowledge about the Taliban's intentions, structures and decision-making processes.

Neither in Afghan society as a whole nor among the main non-militant political groups is there any consensus about how the peace process should proceed. It is questionable whether the Karzai government and the High Peace Council can succeed in clearly defining the timeframe, participants, issues and venues before the 2014 presidential elections. Germany's great acceptance among all relevant actors, and not least the relevant experience already gathered in the Qatar process, would allow it to play a supportive role in the inevitable preparatory talks.

It is becoming apparent that the negotiations between the Afghan parties demanded by the international community

will have to be accompanied by separate agreements on confidence-building measures of the kind discussed in the Qatar process or in the scope of the most recent Afghan-Pakistani initiative. Such talks plainly only have a prospect of success if they are kept secret as long as possible. Here too, Germany can continue to play an important mediating role and provide the required forum.

All political and societal groups must be included in future negotiations between the Afghan parties, which should ideally be as transparent as possible. Pakistan and Iran should not be excluded, and at least kept informed about planned initiatives.

In assessing the Qatar process it must be remembered that the central actor of the peace process – also according to the NATO strategy – was not involved. When the Afghan government tried to enter the process, the Taliban objected, talks came to a halt and the initiative was regarded as having failed for the time being.

The positions of the serving Kabul government and the militant opposition currently appear to be mutually incompatible, especially where the status of the Afghan constitution is concerned. To that extent the goal often discussed in Western capitals, of clearly advancing the peace process in the sense of substantive negotiations before the conclusion of the transitional phase in 2014, is also overambitious and unrealistic. NATO and the Afghan government must also be prepared for the eventuality of the transition ending without a political solution in sight.

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**SWP**  
Stiftung Wissenschaft und Politik  
German Institute for International and Security Affairs

Ludwigkirchplatz 3–4  
10719 Berlin  
Telephone +49 30 880 07-0  
Fax +49 30 880 07-100  
[www.swp-berlin.org](http://www.swp-berlin.org)  
[swp@swp-berlin.org](mailto:swp@swp-berlin.org)

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